

**The rights of workers and protection from sexual harassment in the  
Workplace  
Algerian legislation as a model**

**Prepared by**



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**Abstract:**

This study aims to address the rights of women workers related to the most important right, namely the right to work and non-discrimination. Such a right constitutes universal legitimacy and the first launch of all the rights of the working women. However, this right may be contracted with very important and serious obstacles that may prevent achieving such a right, namely sexual harassment in the workplace. It is found that the most important of these harassment is the sexual harassment which was criminalized by the Algerian legislator and the perpetrators of such penal sanctions will be punished. The researcher unfortunately found that the acts of harassment are usually committed in closed places where the perpetrator does not leave any traces. Thus, the affirmation of this situation becomes almost impossible to be proved. Moreover, it is found that the legislator still does not criminalize such an act in its law, leaving the penal code alone in charge, although this right is essentially related to the rights of working women, which are enshrined in the Algerian labor law.

**Keywords:** Women, Discrimination, Right to Work, Harassment, Protection, Punishment, Algerian.

To study protection from sexual harassment in the workplace, according to the following:

First: the rights of female workers in the Algerian legislation.

1. The right of women to find work
2. The right of women to receive remuneration and similar vocational training

Second: Protection from sexual harassment

1. Punishments established for the crime of sexual harassment
2. Algerian labor law website of the crime of sexual harassment

Conclusion :

Among the most important results reached through this study are the following:

- That the right to work in relation to the right to a wage and an equal professional training with men, Algeria has embodied it in its national constitutions and laws, and it has sometimes sought positive discrimination that is in the interest and gain of the working woman.
- That the social legislator neglected the text on the right to protect working women from sexual harassment and neglected sexual harassment in his law.

- The role of the criminal judge in cases of sexual harassment is very limited and almost non-existent, so among the most important suggestions you make are the following:

- The Algerian legislator should simplify procedures for proving crimes related to sexual harassment, the most important of which is sexual harassment, which usually takes place in closed places, which makes it difficult to prove, and apply more deterrent penalties than they are, especially with regard to the length of imprisonment.

- Acts related to sexual harassment should be criminalized in the social law, in order to reach the protection of working women at all stages, whether they are candidates for employment or work, or they are in the context of ambush, training, or in their career path.

-Spreading awareness and reaching the value of the working woman's culture (Shalala, 2010: 9) that is legally protected from any discrimination related to work, and from any sexual harassment that hinders her work or affects her friendliness and advancement at work from the male worker, the employing body, and society as a whole.

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